



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

HILLARY J. CRAIN
CHAIRMAN

**IN RE: LIUZZA'S RESTAURANT & BAR, INC. D/B/A
LIUZZA'S RESTAURANT & BAR
NO. VP3601205280**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of January 20, 2004. The Hearing Officer's order dated December 18, 2003, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Administrative Action," by and between Liuzza's Restaurant & Bar, Inc. d/b/a Liuzza's Restaurant & Bar, No. VP3601205280, and the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division, which is attached hereto and incorporated herein, is **APPROVED**.

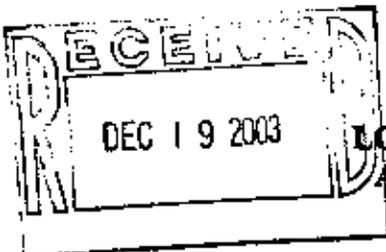
THUS DONE AND SIGNED on this the 20th day of January, 2004.

LOUISIANA GAMING CONTROL BOARD

BY:


HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 20th DAY
OF January, 2004
APPEAL DOCKET CLERK

RECEIVED

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

DEC 18 2003

LCCB
ADMINISTRATIVE HEARING OFFICE

**IN RE: LIUZZA'S RESTAURANT & BAR, INC.
d/b/a LIUZZA'S RESTAURANT & BAR**

**CASE NO. 3601205280
INSPECTION REPORT # 14451**

**JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT**

ON THE JOINT MOTION OF:

1. the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division (hereinafter "Division"), and
2. Liuzza's Restaurant & Bar, Inc. d/b/a Liuzza's Restaurant & Bar, License No. 3601205280 (hereinafter "licensee"), who respectfully represent the following:

WHEREAS:

1. On or about March 1, 2003, the Division mailed the annual form, which must be submitted annually by all licensees, to the licensee;
2. The licensee was mandated by LAC 42:XI.2405(B)(7) to submit the above annual form to the Division, along with all appropriate fees and current tax clearance certificates, on or before July 1, 2003;
3. On or about July 1, 2003, the Division received the licensee's annual form, fees; and the state tax clearance, however, the local tax clearance certificate was not included.
4. On or about July 9, 2003, the Division notified the licensee of the missing tax clearance.
5. On or about July 29, 2003, the Division issued Violation/Inspection Report #14451 to the licensee citing violation of LAC 42:XI.2405(B)(7). Attendant to this Violation/Inspection Report, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to the licensee on or about October 9, 2003.
6. This matter has been scheduled for hearing on December 18, 2003 at 9:30 a.m. before the Honorable Joseph E. Anzalone, Jr.,

TRUE COPY

[Signature]
Representative

Louisiana Gaming Control Board

NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the licensee hereby propose the following settlement, that:

1. The licensee acknowledges that it was in violation of LAC 42:XL2405(B)(7), in that it did not submit the local tax clearance certificate to the Division by July 1, 2003;
2. The licensee has submitted the delinquent local tax clearance, a copy is attached hereto;
3. In lieu of suspension of its video gaming license, the licensee shall pay a \$250.00 civil penalty;
4. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of Violation/Inspection Report No. 14451 and this Notice of Recommendation of Administrative Action;
5. The Division reserves the right to take into consideration these violations in connection with any future violation;
6. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
7. This settlement constitutes the entire agreement between the Division and Liuzza's Restaurant & Bar, Inc. d/b/a Liuzza's Restaurant & Bar pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
8. This settlement is subject to approval by the Hearing Officer of the Louisiana Gaming Control Board; it is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not executory and will be submitted to the Board for its determination as to whether the matter should be heard by the Hearing Officer; if approved, however, payment of the above penalties must be submitted to the Division within fifteen (15) days of approval of this settlement by the Board; the failure to submit the civil penalty within fifteen (15) days of approval by the Board shall result in the video gaming license of the licensee being suspended and its gaming devices being disabled; and
9. The Division and the licensee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted,

LIUZZA'S RESTAURANT & BAR, INC.
d/b/a LIUZZA'S RESTAURANT & BAR

RICHARD P. IEYOUB
ATTORNEY GENERAL

BY: *Shanette B. Edler*
Shanette B. Edler
Secretary
Liuzza's Restaurant & Bar, Inc.
d/b/a Liuzza's Restaurant & Bar
234 North Telemachus St.
New Orleans, Louisiana 70119

BY: *Olga M. Bogran*
Olga M. Bogran
Assistant Attorney General
La. Bar Roll No. 24302
One Canal Place
365 Canal Street, Suite 2730
New Orleans, Louisiana 70130
Telephone: (504) 599-1149
Facsimile: (504) 599-1163

**STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE**

**IN RE: LIUZZA'S RESTAURANT & BAR, INC.
d/b/a LIUZZA'S RESTAURANT & BAR**

**CASE NO. 3601205280
INSPECTION REPORT # 14451**

ORDER

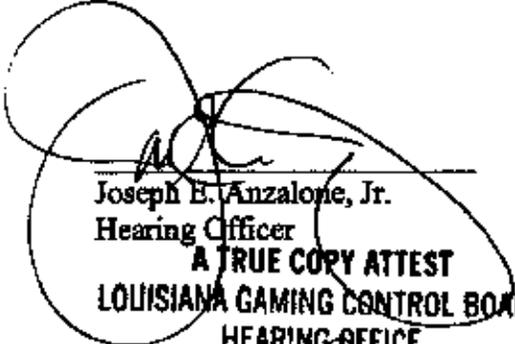
Considering the foregoing Joint Motion For Entry of Stipulations and Approval of Proposed Settlement, IT IS HEREBY ORDERED that such proposed settlement be approved, to wit:

1. the licensee acknowledges that it was in violation of LAC 42:XL.2405(B)(7), in that it did not submit the local tax clearance certificates to the Division by July 1, 2003;
2. having submitted the delinquent tax clearance, the licensee shall pay a civil penalty in the amount of \$250.00;
3. payment of the above penalty shall be submitted to the state within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board; and
4. the failure to submit the above penalty within fifteen (15) days of approval of this settlement by the Board shall result in the video gaming license of Liuzza's Restaurant & Bar, Inc. d/b/a Liuzza's Restaurant & Bar being suspended and its gaming devices being disabled.

THUS DONE AND SIGNED this 18 day of Dec., 2003 in
Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 18 DAY
OF December, 2003
Rosanne Hayes
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Shanette Baker
Alga Bogran
Sabrina Bullard


Joseph E. Anzalone, Jr.
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA Dec 18, 2003

Rosanne Hayes
BY: CLERK

STATE OF LOUISIANA
PARISH OF ORLEANS

AFFIDAVIT

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified within and for the State and Parish aforesaid, PERSONALLY CAME AND APPEARED:

SHANETTE B. EDLER,

who, after first being duly sworn, declared and acknowledged to me, Notary, under oath:

that affiant is the secretary of Liuzza's Restaurant & Bar, Inc. d/b/a Liuzza's Restaurant & Bar, ("licensee"), whose address is 1234 North Telemachus St., New Orleans, Louisiana 70119;

that the licensee received a Notice of Recommendation of Administrative Action (Violation/Inspection Report No. 14451) from the Louisiana Gaming Control Board, citing violation of LAC 42:XL2405(B)(7);

that in the interest of settling this matter, affiant has willfully entered into a Joint Motion for Entry of Stipulations and Approval of Proposed Settlement with the Division on behalf of the licensee, via the Attorney General's Office; and

that affiant signed the above-cited motion of his own volition, without duress or coercion.

THUS DONE AND PASSED in NEW ORLEANS, Louisiana, on this
16th day of DECEMBER, 2003.

Shanette B. Edler
Shanette B. Edler, Affiant

Gene A. Goff
Notary Public
My commission expires at death



ORLEANS PARISH CONFIRMATION OF RECEIPT OF RENEWAL APPLICATION FOR VIDEO GAMING LICENSE

This is to confirm that a copy of DPSSP 0049 (R 01/96), Renewal Application for Gaming License 2003 has been received from:

(Name of Establishment)

(Address)

(City, State, Zip)

[Faint, illegible text, possibly a stamp or receipt number]

12/10/03
Date

[Handwritten signature]
(Received By)

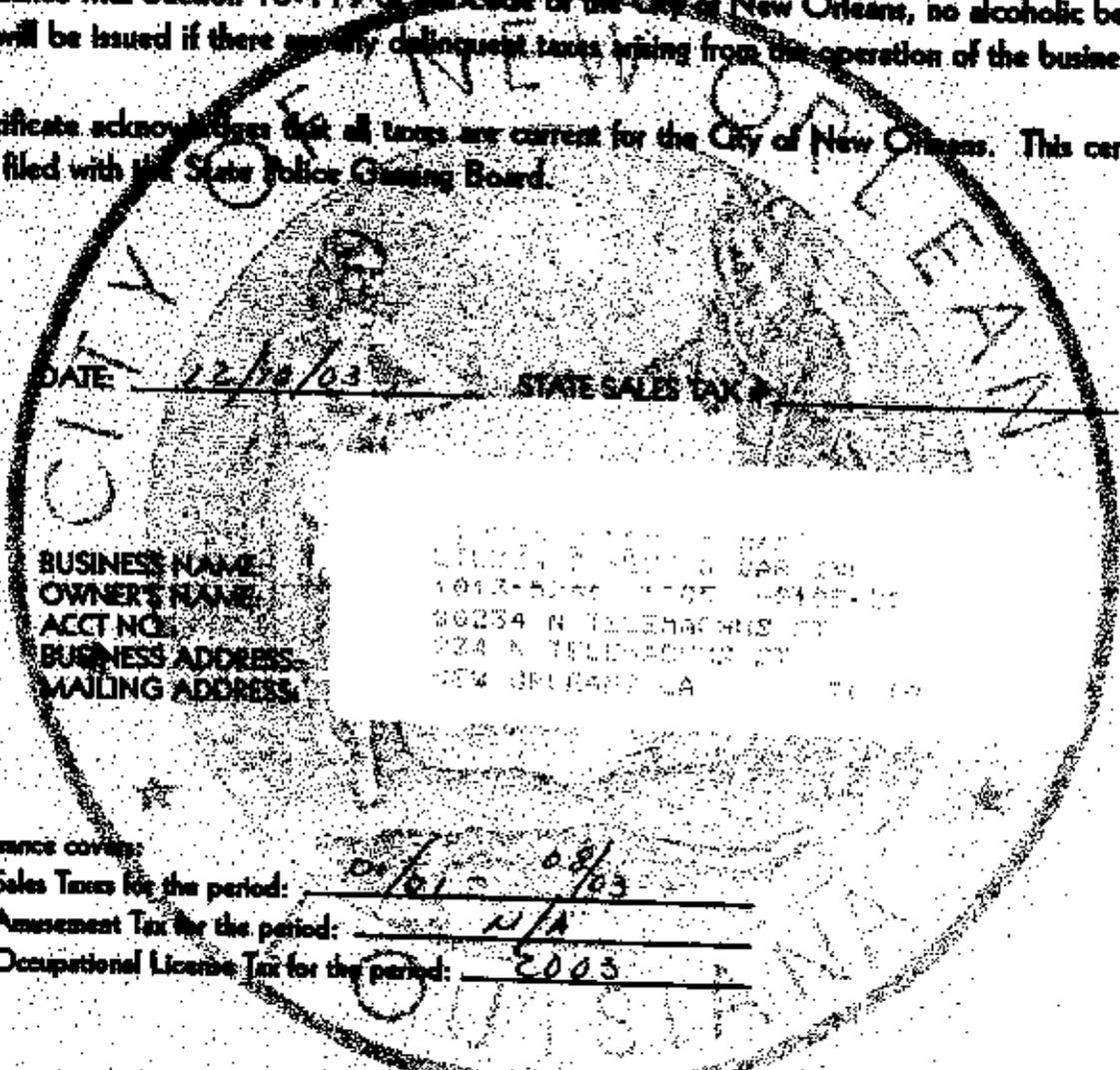
Bureau of Revenue
1300 Perdido St., Rm 1W15
New Orleans, Louisiana 70112-2114
Phone (504) 565-8299
Fax (504) 565-6425

**CITY OF NEW ORLEANS
DEPARTMENT OF FINANCE/BUREAU OF REVENUE
TAX CLEARANCE CERTIFICATE**

FOR VIDEO POKER

In accordance with Section 10-119 of the Code of the City of New Orleans, no alcoholic beverage permits will be issued if there are any delinquent taxes arising from the operation of the business.

This certificate acknowledges that all taxes are current for the City of New Orleans. This certificate must be filed with the State Police Gaming Board.



DATE 12/10/03 STATE SALES TAX # _____

BUSINESS NAME
OWNER'S NAME
ACCT NO
BUSINESS ADDRESS
MAILING ADDRESS

LIQUOR & GAMING BAR, INC.
1013-50th Street - Metairie, LA
80234 N TELEGRAPH ST
224 N TELEGRAPH ST
NEW ORLEANS, LA

This Clearance covers:
Sales Taxes for the period: 01/01 - 08/03
Amusement Tax for the period: N/A
Occupational License Tax for the period: 2003

I hereby certify that the above taxpayer has met all City of New Orleans tax obligations and is current. This search is of unaudited records.


BUREAU OF REVENUE REPRESENTATIVE

CITY OF NEW ORLEANS SEAL